

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **NISHIBAYASHI, Toru, et al.**

Group Art Unit: 3743

Serial No.: 10/500,141

Examiner: **Shumaya B. ALI**

Filed: **July 8, 2004**

**P.T.O. Confirmation No.: 1413**

For. **POWDER INHALATOR**

**INFORMATION DISCLOSURE STATEMENT AND STATEMENT  
PURSUANT TO 37 CFR 1.97(d)**

**Attn: Group Director**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 7, 2006

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449.

This Information Disclosure Statement is submitted after the mailing of a final action, a Notice of Allowance, or an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee.

The undersigned hereby certifies:

**XX** That each item of information contained in this Information Disclosure Statement was first cited in a communication from the European Patent Office mailed July 26, 2006 in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement;

09/08/2006 JADD01 00000016 10500141  
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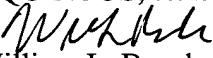
That no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no information contained in this statement was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

A check is attached hereto which covers the \$180.00 fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this Statement to our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP

  
William L. Brooks  
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Reg. No. 34,129

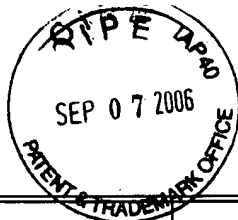
WLB/ak  
Atty. Docket No. **040243**  
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PATENT TRADEMARK OFFICE

Enclosures: \$180.00 fee  
PTO 1449  
Copy of supplementary partial European Search Report



<b>INFORMATION DISCLOSURE CITATION PTO-1449</b>	Atty. Docket No. <b>040243</b>	Serial No. <b>10/500,141</b>
	Applicant(s): <b>NISHIBAYASHI, Toru, et al.</b>	
	Filing Date: <b>July 8, 2004</b>	Group Art Unit: <b>3743</b>

### U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Name	Date	Class	Subclass	Filing Date (If appropriate)
_____	AA	4,046,146	Rosskamp et al.	09-06-1977	128	266
_____	AB	5,437,270	Braithwaite	08-01-1995	128	203.15
_____	AC					
_____	AD					
_____	AE					

### FOREIGN PATENT DOCUMENTS

Document No.	Date	Country	Translation (Yes or No)
_____	AF		
_____	AG		
_____	AH		
_____	AI		
_____	AJ		

### OTHER DOCUMENTS

_____	AK	Copy of supplementary partial European Search Report mailed July 26, 2006, 5 pages.
_____	AL	
Examiner		Date Considered